IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.7287 OF 2005

M/s.Mangesh Auto Parts Pvt. Ltd. : Petitioners

V/s.

The State of Maharashtra & Ors. : Respondents

...

WITH

WRIT PETITION NO.7305 OF 2005

M/s.Mangesh Auto Parts Pvt. Ltd. : Petitioners

V/s.

The State of Maharashtra & Ors. : Respondents

...

AND

WRIT PETITION NO.7306 OF 2005

M/s.Mangesh Auto Parts Pvt. Ltd. : Petitioners

V/s.

The State of Maharashtra & Ors. : Respondents

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Ms Shilpa M. Linge for the petitioners.

Mr.K.V.Tembe for the respondent no.3.

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CORAM : S.A. BOBDE, J.

October 21, 2005.

P.C.:

1. The petitioners have directly approached this Court against the Recovery Certificates under section 101 of the Maharashtra Co-operative Societies Act, 1960, hereinafter referred to as the "Act". These Recovery Certificates were issued for recovery of the amounts found due and payable by the petitioners. The learned counsel for the petitioners contends that the orders were passed without hearing the petitioners. It is, however, admitted on behalf of the petitioners that the petitioners were served.

2. In the circumstances and having regard to the alternate remedy available under section 154 of the Act, I decline to exercise the extraordinary jurisdiction of this Court under Articles 226 and 227 of the Constitution of India. Allowed to withdraw with liberty to avail of alternate remedy under section 154 of the Act.

S.A. BOBDE, J.